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Filing date: **06/25/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91190074
Party	Plaintiff Apple Inc.
Correspondence Address	Joseph Petersen Kilpatrick Stockton LLP 31 West 52nd Street, 14th Floor New York, NY 10019 UNITED STATES AlJones@kilpatrickstockton.com, JPetersen@kilpatrickstockton.com, Agarcia@kilpatrickstockton.com, ipefiling@kilstock.com
Submission	Motion for Default Judgment
Filer's Name	Alicia Grahm Jones
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Signature	/s/ Alicia Grahm Jones
Date	06/25/2009
Attachments	Apple v. Salem- Motion for DJ.pdf ( 3 pages )(11695 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 77/498,922  
For the mark THE APPLE  
Filed: June 13, 2008  
Published: November 4, 2008

-----X		
APPLE INC.,	:	
	:	
Opposer,	:	
	:	Opposition No. 91190074
v.	:	
	:	
SALEM COMMUNICATIONS HOLDING	:	
CORPORATION,	:	
	:	
Applicant.	:	
-----X		

**MOTION FOR DEFAULT JUDGMENT**

Apple Inc. (“Opposer”) hereby moves the Board for a default judgment against Applicant Salem Communications Holding Corporation (“Applicant”) on Opposer’s claims in opposition to registration of Application Serial No. 77/498,922.

The Board’s May 6, 2009 Notice set a June 15, 2009 deadline for Applicant to file and serve an Answer in this proceeding. Applicant has failed to file or serve its Answer.

In accordance with Rule 55(b) of the Federal Rules of Civil Procedure and Rule 2.106(a) of the Trademark Rules of Practice, Opposer moves the Board for entry of default judgment on Opposer’s claims in this Opposition proceeding. It is appropriate for the Board to enter judgment against Applicant because Applicant failed to file and serve its Answer before the June 15, 2009 deadline.

Dated: June 25, 2009

Respectfully submitted,

**KILPATRICK STOCKTON LLP**

By: /s/Alicia Grahn Jones

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*Attorneys for Opposer Apple Inc.*

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CORPORATION,	:	
	:	
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-----X	:	

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing MOTION FOR DEFAULT JUDGMENT has been served on Applicant by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

Scott R. Hunter  
4880 Santa Rosa Rd.  
Camarillo, CA 93012-5190

This the 25th day of June, 2009.

/s/ Alicia Grahn Jones